



U.S. Department of Justice

United States Attorney  
Southern District of New York

---

86 Chambers Street  
New York, New York 10007

October 28, 2020

By CM/ECF

Honorable Ronnie Abrams  
United States District Judge  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

Re: *Carmen Nieves vs. Saul, 1:20-cv-04179-RA*

Dear Judge Abrams:

This Office represents Andrew Saul, the Commissioner of Social Security (Commissioner) in the above-referenced action pursuant to 42 U.S.C. § 405(g), challenging a decision by the Commissioner to deny plaintiff's application for program benefits. The Commissioner is to file a certified administrative record (CAR) by November 2, 2020. The undersigned respectfully requests a 60-day extension of this deadline to January 4, 2021 to file the CAR.

This is the Commissioner's first request for an extension of the deadline to file this certified administrative transcript. The extension is necessary because teleworking and other temporary workplace changes due to the COVID-19 pandemic have significantly impacted the operations of the Social Security Administration's Office of Appellate Operations (OAO) and materially affected its ability to prepare CARs, including obtaining transcriptions of hearing recordings from private contractors. Over the past few months, OAO has redesigned its business process to allow for a mostly virtual CAR preparation process, and has worked and continues to work to expand and improve this process. Although the current process has improved and increased CAR production, challenges remain, including rising court case filings, as well as staffing and processing problems with transcript typing service contractors. OAO asks for continued patience as it strives to resolve these issues.

Lastly, Plaintiff consents to the requested extension.

Thank you for Your Honor's consideration.

Respectfully submitted,


AUDREY STRAUSS  
Acting United States Attorney

By: Benil Abraham  
Benil Abraham  
Special Assistant United States Attorney  
c/o Social Security Administration  
Office of General Counsel  
26 Federal Plaza, Room 3904  
New York, NY 10278  
Tel.: (212) 264-2012  
Fax: (212) 264-6372  
[benil.abraham@ssa.gov](mailto:benil.abraham@ssa.gov)

cc: Daniel Berger, Esq.

Application granted.

SO ORDERED.

  
\_\_\_\_\_  
Hon. Ronnie Abrams  
October 29, 2020